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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-07-0808-DLJ
11) CR-06-0342-DLJ
Plaintiff,)
12) **DEFENDANT'S**
vs.) **SENTENCING MEMORANDUM**
13)
FILBERTO MOLINA-SANTANA,)
14) Sentencing Date: July 11, 2008
Defendant.)
15 _____)

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17 Filberto Molina-Santana, through his attorney, Assistant Federal Public Defender Angela
18 M. Hansen, submits this Sentencing Memorandum to request that the Court sentence Mr. Molina
19 to the agreed-upon sentence in his Federal Rule of Criminal Procedure 11(c)(1)(C) plea
20 agreement with the government.

21 It is undisputed that Mr. Molina is at an offense level 10 and in Criminal History
22 Category V, for a resulting range of 21 to 27 months. PSR ¶ 61. In reaching a global disposition
23 of Mr. Molina's supervised release violation and his new illegal reentry case, the parties agreed
24 that the appropriate sentence in this case would be the high-end of the applicable guideline range.
25 See Plea Agreement ¶ 8. Mr. Molina therefore requests that the court sentence him to 27 months
26 in the custody of the Bureau of Prisons and to 3 years of supervised release in case number CR-
07-0808-DLJ.

As for the alleged violation of his supervised release in case number CR-06-00342-DLJ,

1 the government has agreed to dismiss the amended petition. *See* Plea Agreement ¶ 13. For this
2 reason, Mr. Molina requests that the Court impose no additional sentence on that case.

3 Dated: July 7, 2008

Respectfully submitted,

4 BARRY J. PORTMAN
5 Federal Public Defender

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7 ANGELA M. HANSEN
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